

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ES-KO INTERNATIONAL INC.,

Plaintiff,

-v-

COMPASS GROUP PLC, ESS SUPPORT SERVICES WORLDWIDE, EUREST SUPPORT SERVICES (CYPRUS) INTERNATIONAL LIMITED, PETER HARRIS, ANDREW SEIWERT, STEVE KEMP, LEN SWAIN, STEVE BICKERSTAFF, DOUG KERR, IHC SERVICES, INC., EZIO TESTA, ALEXANDER YAKOVLEV, DMITRY YAKOVLEV, VLADIMIR KUZNETSOV, and JOHN DOES 1 TO 100.

Defendants.

SUPREME FOODSERVICE AG,

Plaintiff,

-v-

COMPASS GROUP PLC, ESS (AKA EUREST SUPPORT SERVICES), IHC SERVICES, INC., PETER HARRIS, ANDREW SEIWERT, ALEXANDER YAKOVLEV, MOXYCO, LTD., DOUG KERR, STEVE KEMP, LEN SWAIN, VLADIMIR KUZNETSOV, NIKAL, LTD. AND EZIO TESTA,

Defendants.

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Case No. 06 CV 2422 (PKC)

*PARTIAL*  
**NOTICE OF DISMISSAL  
WITH PREJUDICE** as to

Compass Group, PLC, ESS Support Services Worldwide, Eurest Support Services (Cyprus) International Limited, Steve Kemp, Len Swain, Steve Bickerstaff, Andrew Seiwert, Doug Kerr and Peter Harris

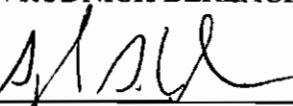
Case No. 06 CV 1759 (PKC)

PLEASE TAKE NOTICE THAT, whereas no answer or motion for summary judgment has been served, Plaintiff ES-KO International Inc., through its undersigned counsel, hereby dismisses with prejudice its claims against Defendants Compass Group, PLC, ESS Support Services Worldwide, Eurest Support Services (Cyprus) International Limited, Steve

Kemp, Len Swain, Steve Bickerstaff, Andrew Seiwert, Doug Kerr and Peter Harris pursuant to Rule 41(a)(1)(i) of the Federal Rules of Civil Procedure.

Dated: New York, New York  
October 27, 2006

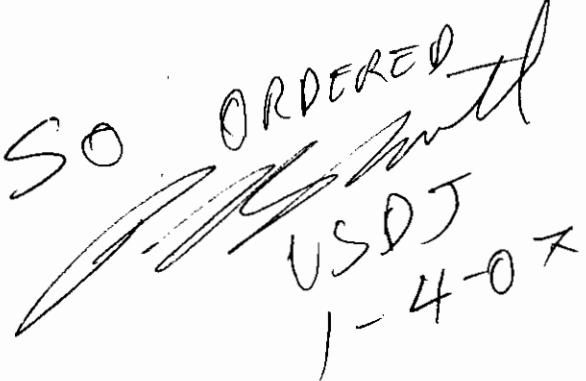
BROWN RUDNICK BERLACK ISRAELS LLP

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*ES-KO International Inc.*

SO ORDERED  
  
J. Michael Seiden  
1-4-07